THE HON'BLE SRI JUSTICE M. VENKATESWARA REDDY

Writ Petition No. 9756 of 2006

-

Dated: 09.05.2006

Between

Saladi Veerraju, S/o Satyanarayana, R/o D.No.90-5-46, Swaraj Nagar, Rajahmundry.

……Petitioner.

And

Municipal Corporation of Rajahmundry, rep. by its Commissioner, Rajahmundry, East Godavari District.

……Respondent.

THE HON'BLE SRI JUSTICE M. VENKATESWARA REDDY

Writ Petition No. 9756 of 2006

Order:

This writ petition is filed with the following prayer.

> "To issue a Writ, order or direction more particularly in the nature of a Writ of Mandamus declaring the action of the respondent in forcing the petitioner to vacate the premises in D.No.90-5-46, 1st Ward, Swaraj Nagar, Rajahmundry

as unconstitutional and consequently direct the respondent to regularize the possession of the petitioner's house in D.No.90-5-46, 1st Ward, Swaraj Nagar, Rajahmundry."

The petitioner alleges that she has been in occupation of the house premises bearing D.No.90-5-46 situated at 1st Ward, Swaraj Nagar, Rajahmundry, for the last 60 years, and that the respondent-Municipal Corporation, without serving any notice and without following due process of law, is forcing her to vacate the premises. She further alleges that on 02.05.2006 and on 05.05.2006 the authorities of the respondent-Corporation came to her and pressurized her to vacate the premises, and that the respondent-Corporation is not entitled to evict her from the premises except under a due process of law.

Having regard to the facts and circumstances of the case, the writ petition is allowed at admission stage with a direction to the respondent-Municipal Corporation of Rajahmundry not to dispossess the petitioner from the premises bearing D.No.90-5-46, situated at 1st Ward, Swaraj Nagar, Rajahmundry, without following the due process of law. No costs.

_____

M. VENKATESWARA REDDY, J.

Date: 09.05.2006

Nsr/Skmr